

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

NORTH CAROLINA GREEN PARTY,
ANTHONY NDEGE, MICHAEL TRUDEAU,
MATTHEW HOH, SAMANTHA WORRELL,
SAMANTHA SPENCE, K. RYAN PARKER AND
AARON MOHAMMED,

Plaintiffs,

v.

NORTH CAROLINA STATE BOARD OF
ELECTIONS, et al.,

Defendants,

and

NORTH CAROLINA DEMOCRATIC PARTY;
DSCC,

Intervenor-Defendants.

Case No. 5:22-cv-00276-D-BM

[PROPOSED] ORDER GRANTING MOTION FOR STAY PENDING APPEAL

This matter comes before the Court on the motion [D.E. 67] of Intervenor-Defendants North Carolina Democratic Party and DSCC (“Intervenors”) to stay, pending appeal to the United States Court of Appeals for the Fourth Circuit, this Court’s Order of August 5, 2022 [D.E. 64] (the “August 5 Order”). Upon review of the motion, the accompanying memorandum, and all other relevant filings, the Intervenors’ Emergency Motion for Stay Pending Appeal is hereby **GRANTED**.

IT IS HEREBY ORDERED that the portions of the August 5 Order that (1) enjoin Defendants from enforcing the July 1 filing deadline in N.C. Gen. Stat. § 163-98 as applied to the Green Party and its candidates, (2) order Defendants to accept Green Party candidates’ notice of

candidacy, filing fee, and application to change party affiliation as timely filed if submitted before August 10, 2022, and (3) order Defendants to include on North Carolina's November 8, 2022 general election ballot the names of Green Party candidates who comply with the terms of this order and are qualified for the office they seek, are **STAYED** pending resolution of Intervenors' appeal to the United States Court of Appeals for the Fourth Circuit.

SO ORDERED. This __ day of August, 2022

James C. Dever III
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on this date, I caused the foregoing document to be filed and served on all counsel of record by operation of the CM/ECF system for the United States District Court for the Eastern District of North Carolina.

DATED: August 8, 2022

/s/ Christopher D. Dodge